IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4920 OF 2005

Paramjeet Singh Ghai ...Applicant
vs.
State of Maharashtra ...Respondent

Mr.Uday Warunjikar for the Applicant
Ms S.D.Shinde,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : AUGUST 8,2005

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for State. This is an application for grant of anticipatory bail.

2. An offence has been registered against the Applicant under Sections 420, 465, 468 read with Section 34 of the Indian Penal Code. The Applicant purchased a flat from the complainant on 10th December 1999. It appears that the Applicant sold the said flat to another person on the basis of no objection issued by the complainant who is the builder. The case of the complainant seems to be that the Applicant has not paid full price of the flat to him in the year 1999.

3. While rejecting the application for anticipatory bail, the learned Additional Sessions Judge had observed that there is a dispute going on between the complainant and the Applicant in respect of the amount relating to the flat purchased by the

Applicant. The transaction seems to be of the year 1999. Considering the nature of the allegations against the Applicant, I am satisfied that undue harassment will be caused to the Applicant if he is subjected to custodial interrogation. According to me a case is made out for grant of anticipatory bail.

4. Hence I pass the following order :

i) In the event of the arrest of the Applicant in connection with C.R.No.242 of 2005 registered at Wanavadi Police Station, District Pune the Applicant shall be enlarged on bail subject to furnishing P.R.Bond in the sum of Rs.25,000/- (Rupees twenty five thousand) with one or two sureties in the like amount.

ii) The Bail is granted subject to condition that the Applicant will attend the concerned Police Station from 11th August 2005 till 18the August 2005 on every day from 5 p.m.to 7 p.m. and will thereafter attend the concerned Police station as and when called upon to do so till the filing of the charge sheet and will cooperate for the purposes of investigation.

iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any

inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the Police Officer/investigating agency. The Applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) This order will enure to the benefit of the Applicant only till charge sheet is filed. Thereafter, he will be free to apply to the appropriate Court for appropriate relief.

vi) Application is disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

JUDGE